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EXAMINER

RADTKE, MARK A

ART UNIT	PAPER NUMBER
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2165

NOTIFICATION DATE	DELIVERY MODE
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02/09/2009

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mld@mindspring.com

Office Action Summary

Application No.

10/634,701

Applicant(s)

WOOD, DOUGLAS A.

Examiner

MARK A. X RADTKE

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period **will** apply and **will** expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply **will**, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 October 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3,5,9-13 and 17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3, 5, 9-13 and 17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Remarks

1. In response to communications filed on 28 October 2008, claim(s) 1 and 17 is/are amended per Applicant's request. Therefore, claims 1, 3, 5, 9-13 and 17 are presently pending in the application, of which, claim(s) 1 and 15-17 is/are presented in independent form.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 3, 5, 9-13 and 17 are rejected under 35 U.S.C. 103(a) as being obvious over RDF Syntax ("Resource Description Framework (RDF) Model and Syntax Specification" by W3C, 8 October 1998. Available online at <http://citeseer.ist.psu.edu/article/lassila98resource.html>) in view of Brunet (U.S. Pat. No. 6,654,759, cited previously).

As to claim 1, RDF Syntax teaches a method of uniquely identifying resources (see section 1, "Introduction"), comprising steps of:

modeling the resources using a hierarchical schema, wherein classes in the hierarchical schema correspond to resource types (see section 1, paragraph 5, line 4, "Classes are organized in a hierarchy") and wherein instances in the hierarchical schema represent individual resources, each instance being defined according to a class definition of a selected one of the classes that corresponds to the resource type of the individual resource represented by the instance (see section 2.1, paragraph 1, last sentence, "resources correspond to objects and properties correspond to instance variables");

defining, in the class definition of a topmost class of the hierarchical schema, a naming rule property and an instance identity property (see section 2.2., paragraph 2, "XML rules"), wherein each class at levels of the hierarchical schema beneath the topmost class inherits the naming rule property and the instance identity property (see section 1, paragraph 5).

RDF Syntax does not explicitly teach

specifying a value of the naming rule property in each of the class definitions, wherein:

the value of the naming rule property comprises at least one property name selected from a collection of property names comprising the class definition;

for each class definition, the selected at least one property name is selected to ensure that each instance identity generated for the instances defined according to the class definition is unique among all of the instances in the hierarchical schema;

the value of the naming rule property specified in at least one of the class definitions comprises at least two of the property names selected from the collection of property names comprising the class definition; and

the value of the naming rule property for at least two of the class definitions differs; and

for each of the modeled resources, specifying a value of the instance identity property in the instance which represents that resource, wherein:

the value of the instance identity is generated using the specified value of the naming rule property for the class definition according to which that instance is defined; and

the value of the instance identity specifies a class name of a particular one of the classes that corresponds to the resource type of this resource and, for each of the at least one property name defined as the value of the naming rule property in the class definition of the particular one of the classes, a name and value pair comprising that property name and a property value corresponding thereto for the resource represented by this instance.

However, Brunet teaches

specifying a value of the naming rule property in each of the class definitions, wherein:

the value of the naming rule property comprises at least one property name selected from a collection of property names comprising the class definition (see col. 7, ll. 35-41);

for each class definition, the selected at least one property name is selected to ensure that each instance identity generated for the instances defined according to the class definition is unique among all of the instances in the hierarchical schema (see col. 7, ll. 30, "uniquely identified");

the value of the naming rule property specified in at least one of the class definitions comprises at least two of the property names selected from the collection of property names comprising the class definition (see col. 7, ll. 41-43); and

the value of the naming rule property for at least two of the class definitions differs (see col. 7, ll. 30, "uniquely"); and

for each of the modeled resources, specifying a value of the instance identity property in the instance which represents that resource (see col. 7, ll. 18-29), wherein:

the value of the instance identity is generated using the specified value of the naming rule property for the class definition according to which that instance is defined (see col. 7, ll. 30-32); and

the value of the instance identity specifies a class name of a particular one of the classes that corresponds to the resource type of this resource and, for each of the at least one property name defined as the value of the naming rule property in the class definition of the particular one of the classes, a name and value pair comprising that property name and a property value corresponding

thereto for the resource represented by this instance (see col. 7, ll. 35-36, "<naming attribute> <value> pair").

Therefore, it would have been obvious to one of ordinary skill in the relevant art at the time the invention was made to have modified RDF Syntax by the teaching of Brunet for the benefit of automatically and uniquely identifying class instances (see Brunet, col. 7, ll. 30-32).

As to claim 3, RDF Syntax, as modified, teaches further comprising locating a particular instance that represents a particular resource using the value of the instance identity property for that instance (see section 6, Formal Grammar for RDF).

As to claim 5, RDF Syntax, as modified, teaches wherein:

the naming rule property for at least one of the class definitions further comprises a scoping context selected to ensure that each of the instance identities generated for the instance defined according to the class definition are unique within the scoping context (see Brunet, Abstract); and

the value of the instance identity property for each of the instances defined according to that class definition further comprises the scoping context (see section 2.2.1).

As to claim 7, RDF Syntax, as modified, teaches wherein the scoping context comprises a scoping class name that identifies one of the classes and, for each of the at

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least one property name specified as the value of the naming rule property in the class definition of the identified one of the classes, a name and value pair comprising that property name and the value corresponding thereto for a particular instance of the identified one of the classes (see Brunet, Abstract).

As to claim 9, RDF Syntax, as modified, teaches wherein:

the naming rule property for at the least one of the class definitions further comprises a root context to ensure that each of the instance identities generated for the instances defined according to the class definition are unique within the scoping context within the root context (see Brunet, col. 7, ll. 50, "ROOT"); and

the value of the instance identity property for each of the instances defined according to that class definition further comprises the root scope (see section 2.2.1, page 2, "namespace").

As to claim 10, RDF Syntax, as modified, teaches wherein the root scope comprises a domain name (see section 2.2.1, page 2, where "domain name" is read on "description.org").

As to claim 11, RDF Syntax, as modified, teaches wherein the value of the naming rule property is specified using a structured document (See section 2.2. XML is a structured document format).

As to claim 12, RDF Syntax, as modified, teaches wherein the value of the naming rule property is specified using a structured markup language (See section 2.2. XML is a structured markup language).

As to claim 13, RDF Syntax, as modified, teaches wherein the hierarchical schema is an object-oriented schema (see section 1, paragraph 5).

As to claim 17, RDF Syntax teaches a method of generating unique resource identities (see section 1), comprising steps of:

For the remaining steps of this claim applicant(s) is/are directed to the remarks and discussions made in claim 1 above.

Response to Arguments

4. Applicant's arguments filed on 28 October 2008 with respect to the rejected claims in view of the cited references have been fully considered but are not deemed persuasive.

Applicant began the response by suggesting that the citations provided gave "no guidance for formulating a response to the rejection" and had been "left to guess as to what the Examiner is actually citing, and how that has been interpreted". The style of

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citing sections, paragraphs and line numbers (and providing additional detail where needed) is common practice. The Examiner notes that the style and level of detail provided is consistent with, for example, the Final Rejection mailed 26 March 2008. Applicant did not raise any concerns with the art rejection provided in that rejection or the one that preceded it. Finally, it is noted that Applicant's concerns were not voiced during the telephone interview conducted 28 October 2008, where the prior art and instant invention were compared and contrasted without issue.

Applicant's arguments fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references.

Applicant states that the Examiner failed to cite any reference for the limitation of "specifying a value..." The Examiner respectfully disagrees. It is clear both from context and the prior art reference that the "specifying a value" step and the limitation that follows are taught by col. 7, ll. 35-41 of Brunet. The Examiner apologizes for any confusion. Applicant is encouraged to contact the Examiner via telephone to clarify such issues.

Applicant argues that Brunet does not teach "for each class definition, the selected at least one property name is selected to ensure that each instance identity

generated for the instances defined according to the class definition is unique among all of the instances in the hierarchical schema". The Examiner respectfully disagrees.

The limitation requires that each instance of a class has a name that is entirely unique relative to everything else in the schema. The cited portion of Brunet states that "The objects in the tree can be uniquely identified" (see col. 7, ll. 30).

Applicant argues that this does not take into account the fact that names in Brunet are constructed using, in part, the names in the hierarchy above. Assuming this is true, the claim limitation is still taught by the reference. If "John" and "Jane" are both instances of the class "Smith", they can be identified as "Smith.John" and "Smith.Jane". These identifiers are unique relative to everything else in the schema because there are no other "Smith.John"s or "Smith.Jane"s. The existence of an entity called "Doe.John" does not destroy the uniqueness of the name "Smith.John". Similarly, Brunet's names are unique even though certain names have common features. What is important is that no two entities have the same name (i.e. there are not two "Smith.John"s). This is what is meant by "unique" in the cited portion of the reference.

Applicant argues that the prior art fails to teach an instance identity specifying "a class name". The Examiner respectfully disagrees.

"Each assertion AVA is a <naming attribute> <value> pair, the naming attribute being the attribute that, in the class, allows the unique identification, in a naming space, of an instance relative to its mother instance." (see Brunet, col. 7, ll. 35-39) AVAs are properties of the classes.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

6. Any inquiry concerning this communication or earlier communications should be directed to the examiner, Mark A. Radtke. The examiner's telephone number is (571) 272-7163, and the examiner can normally be reached between 9 AM and 5 PM, Monday through Friday.

If attempts to contact the examiner are unsuccessful, the examiner's supervisor, Christian Chace, can be reached at (571) 272-4190.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to Customer Service at (800) 786-9199.

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/Christian P. Chace/
Supervisory Patent Examiner, Art Unit 2165